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MAR 27 2006

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FACSIMILE TRANSMISSION COVER PAGE

DATE: March 27, 2006

RECIPIENT: Issue Fee
COMPANY: U.S. Patent and Trademark Office

RECIPIENT'S FAX NO.: (571) 273-8300

FROM: Lara A. Northrop **LAN**

FILE NUMBER: LUME 48487 (128-A)

NUMBER OF PAGES
(including cover page): 6

MESSAGE: RE: USSN 09/808,898; Filed March 15, 2001
Petition (2 pgs); Copy of USPTO Fax Confirmation Sheet (1 pg)
Copy of Transmittal Sheet (1 pg); Copy of Fee Sheet (1 pg)

SENT BY: S. Cranmer-Jervis TELEPHONE NUMBER: 412-263-2000 ext. 1253

CONFIRMATION COPY:

☐ VIA U.S. MAIL ☐ VIA INTERNATIONAL FEDERAL EXPRESS
☐ VIA AIR MAIL ☒ NONE

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964178

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 27 2006

Application No. : 09/808,898 Confirmation No. 4894
Applicant : Bruce Bryan
Filed : March 15, 2001
Title : RENILLA RENIFORMIS FLUORESCENT PROTEINS,
NUCLEIC ACIDS ENCODING THE FLUORESCENT
PROTEINS AND THE USE THEREOF IN DIAGNOSTICS,
HIGH THROUGHPUT SCREENING AND NOVELTY
ITEMS
TC/A.U. : 1653
Examiner : Samuel W. Liu
Docket No. : LUME 48487
Customer No. : 29694

**PETITION UNDER 37 CFR 1.181 REQUESTING
WITHDRAWAL OF HOLDING OF ABANDONMENT**

VIA FACSIMILE – (571) 273-8300

Mail Stop – Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

March 27, 2006

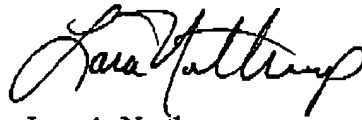
Sir:

Applicants hereby petition for withdrawal of the holding of abandonment of this application. The Notice of Abandonment mailed March 20, 2006 states that Applicants failed to timely pay the issue fee and publication fee for this case. Specifically, the Notice states that the issue fee and publication fee were not received by the U.S. Patent and Trademark Office.

Attached hereto as Exhibit 1 is the fax confirmation sheet from the U.S. Patent and Trademark Office showing that Applicants submitted the issue fee to the U.S. Patent and Trademark Office on July 12, 2005. Attached as Exhibit 2 is a copy of the Fee Transmittal Sheet submitted July 12, 2005 evidencing that the \$1,400.00 issue fee and the \$300.00 publication fee required by 37 C.F.R. 1.18 was authorized to be withdrawn from the Applicant's Deposit Account.

Withdrawal of the Notice of Abandonment and issuance of the patent are respectfully requested.

Respectfully submitted,



Lara A. Northrop
Registration No. 55,502
Pietragallo, Bosick & Gordon LLP
One Oxford Centre, 38th Floor
301 Grant Street
Pittsburgh, PA 15219
Attorney for Applicants

(412) 263-4362



Fax Sender at 14122610915

7/12/2005 11:50:46 AM [Eastern Daylight Time]
3 (including cover page)

Total Pages:

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Cover
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PAGE 4/6 * RCVD AT 3/27/2006 11:57:25 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/21 * DNIS:2738300 * CSID:14122610915 * DURATION (mm:ss):02:10

03/27/2006 11:59 FAX 14122610915

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TRANSMITTED VIA FACSIMILE TO 571-273-6500

EXHIBIT 2

PTO/SB/21 (09-04)

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Approved for use through 07/31/2006. OMB 0651-0031

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

09/808,898

Filing Date

03/15/2001

First Named Inventor

Bruce Bryan

Art Unit

1853

Examiner Name

Samuel W. Liu

Attorney Docket Number

LUME 48487

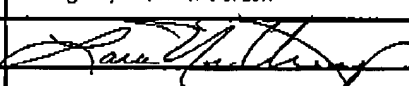
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- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/
Incomplete Application
<input type="checkbox"/> Reply to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify
below):
- Fee Transmittal (Form PTO/SB/17)
- Part B - Fee(s) Transmittal |
|---|--|---|

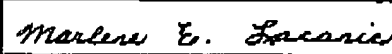
Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Pietragallo, Bosck & Gordon		
Signature			
Printed name	Lara A. Northrop, Esq.		
Date	July 12, 2005	Reg. No.	55,502

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Marlene E. Lacanle	Date	July 12, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EXHIBIT 2

PTO/SB/17 (12-04V2)

Approved for use through 07/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1700.00

Complete if Known

Application Number 09/808,898

Filing Date 03/15/2001

First Named Inventor Bruce Bryan

Examiner Name Samuel W. Liu

Art Unit 1653

Attorney Docket No. LUME 48487

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MAR 27 2006

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 500859 Deposit Account Name: Pietragallo, Bosick &...

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
- 20 or HP =	x	=		Fee (\$)
				Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Issue Fee (\$1400) and Publication Fee (\$300)

Fees Paid (\$)

\$1700.00

SUBMITTED BY

Signature

Registration No. 55,502
(Attorney/Agent)

Telephone 412-263-4362

Name (Print/Type) Lara A. Northrop, Esq.

Date July 12, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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